

1 **IN THE UNITED STATES DISTRICT COURT**
2 **FOR THE DISTRICT OF PUERTO RICO**

3
4 UNITED STATES OF AMERICA
 Plaintiff

5 v.

CRIMINAL NO. 06-100(JAG)

6 ANDRES IGLESIAS
7 Defendant

8 **REPORT AND RECOMMENDATION**

9 On this date defendant appeared before the undersigned to plea guilty to Count I of the
10 indictment, charging him with violating of 21 U.S.C. §§ 841(a)(1). Defendant was represented by
11 AFPD Juan F. Matos De Juan, with whom he stated to be satisfied with his representation. The
12 government, in turn, was represented by AUSA Ernesto Lopez Soltero. The parties duly executed
13 consent forms permitting the undersigned to take defendant's plea, pursuant to a non-binding plea
14 agreement, which has been made part of the record.

15 Upon examining defendant throughout the proceedings, the undersigned finds him competent
16 to enter a plea which is knowing and voluntary. Defendant was advised at the hearing of the
17 minimum and maximum statutory penalties he faces. He was further informed that the sentencing
18 judge is not bound by the advisory Sentencing Guidelines nor plea agreement. More so, once
19 defendant is sentenced, he may not withdraw her plea simply because he is not satisfied with the
20 sentence imposed upon him. The undersigned also advised defendant of the constitutional rights he
21 waives by entering a guilty plea.

22 Upon inquiry by the Court, defendant accepted all the elements of the offenses outlined in
23 Count I of the indictment, as well as the fact that he acted knowingly, willfully and intentionally at
24 all times relevant to the conduct outlined in said Count.

25 It is thus recommended by the undersigned that defendant's guilty plea be accepted, and
26 sentence be imposed upon him accordingly.

27 This report and recommendation is issued pursuant to 28 U.S.C. § 636 and Local Rule 72(d).
28 **SO RECOMMENDED.**

 In San Juan, Puerto Rico, this 7th of July, 2006

S/Gustavo A. Gelpi

GUSTAVO A. GELPI
United States Magistrate-Judge